

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARTIN RACEY, KEVIN MCDONALD, GARY
WILLIAMS and ALEX ABREU, Individually and
on Behalf of All Others Similarly Situated,

Case No.: 15 CV 8228 (KPF)

Plaintiffs,

-against-

**DECLARATION OF
SEAN HENNIGAN**

JAY-JAY CABARET INC. d/b/a FLASH
DANCERS, AAM HOLDING CORP. d/b/a
PRIVATE EYES, 59 MURRAY ENTERPRISES,
INC. d/b/a NEW YORK DOLLS, BARRY I.
LIPSITZ and BARRY LIPSITZ, JR., Jointly and
Severally,

Defendants.
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I, Sean Hennigan, pursuant to 28 U.S.C. § 1746, declare upon personal knowledge and under penalty of perjury that the following is true and correct:

1. I have worked at New York Dolls Gentlemen's Club ("NY Dolls" or the "Club") for twenty two (22) years. I have been a manager at the Club for the last twenty (21) years.

2. I am competent in all respects to make this affidavit and am personally familiar with the facts stated herein, all of which are true and correct.

NY Dolls

3. I and other managers at NY Dolls are in charge of scheduling Club employees, overseeing employee and customer conduct, making sure all Club employees are performing their jobs correctly, completing and overseeing all Club activities and making sure that all Club documentation is in order. We are also in charge of ordering any goods required for the operation of the Club, including liquor.

4. NY Dolls is operated and controlled by the managers at the Club.

5. Managers at Flashdancers or Private Eyes or any other clubs or entities do not have oversight or responsibilities with regard to the operations at NY Dolls.

Club Hours

6. The posted hours of NY Dolls is noon to 4:00 a.m. Monday through Friday and 8:00 p.m. to 4:00 a.m. on Saturdays.

7. NY Dolls is closed for business on Sundays.

8. The floor men at NY Dolls do not have to wait until I leave before they leave.

9. While I usually stay at the Club to complete paperwork, the floor men usually leave the premises about 5 minutes after 4:00 a.m.

10. At most, once every other month the floor men may stay until 4:30 a.m.

11. I cannot remember a time in all the years I have worked at the Club when floor men have stayed at the Club until 5:00 a.m.

Floor Men

12. Floor men provide customer service as a host at the Club as well as act as security to make sure that order is kept at the Club and that all individuals on premises are kept safe.

13. Most floor men work about four (4) shifts per week.

Early Shift / Late Shift

14. The first shift for floor men at the Club is from noon to 8:00 p.m. and the second shift is from 8:00 p.m. until closing.

15. A shift for floor men would not start at 7:30 p.m. because there would already be a floor man on premises from the first shift doing the job. There is no reason or need to overlap between the first shift and the second shift.

Break Time


16. Floor men take at least one meal break during their shift.
17. Most floor men use the time to eat dinner or take a walk.
18. I am aware that floor men take their breaks because when they do, the other floor men on duty shift to make sure that there is proper coverage and positioning at the Club.

Dated: April 2, 2016


SEAN HENNIGAN

Subscribed and sworn to before me on this 2 day of April, 2016.




Notary Public, in and for
the State of New York